

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EARL G. MEYER,

Plaintiff,

Case No. 08-10801

v.

Honorable John Corbett O'Meara

ALLIANCEONE RECEIVABLES
MANAGEMENT, INC.,

Defendant.

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ORDER OF PARTIAL REMAND

This matter was removed to this court after plaintiff Earl G. Meyer filed a two-count complaint in the 46th Judicial District Court for the State of Michigan. Count I alleges a cause of action under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §§ 1692 *et seq.* Count II alleges violations of the Michigan Collection Practices Act, Mich. Comp. Laws Ann. §§ 445.257 *et seq.*

While the claim alleging violations of federal law are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations in the complaint present a claim based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise pendent jurisdiction over the state claims. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c). Accordingly, it is hereby **ORDERED** that Count II is **REMANDED** to the 46th Judicial District Court.

s/John Corbett O'Meara
United States District Judge

Date: June 4, 2008

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, June 4, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager